
Nebraska Board of Dentistry

Newsletter

June 2010

Chairperson's Message

Terry Wilwerding, DDS
Chairperson
Omaha

R. Mark Hinrichs, DDS
Vice-Chairperson
Lincoln

Cynthia Gaskill, RDH
Secretary
Aurora

John Ahlschwede, DDS
Central City

Charles Bauer, DDS
Hastings

David Blaha, DDS
Lincoln

Judith Kissell, PhD
Omaha

Jane Lott, RDH
York

Julie Marshall, DDS
Lincoln

Mary Sneckenberg
Lincoln

Due to the schedule of Board member replacement, we saw a turnover of four members this year. We would like to thank Drs. David Mlnarik and Sam Jacoby for their years of service on the board, and especially for their years in the chairman's position. Jane Stratman is our outgoing hygiene member, and Doris Schrader was the public member. Both did great work on the board, and all of these former members will be missed.

Replacing these members are Drs. David Blaha and Charles Bauer. Our new hygiene member is Cynthia Gaskill and our public member is Mary Sneckenberg. We welcome our new members and look forward to working with them.

The principle charge of the Board of Dentistry is the protection of the public, and our main "tools" are the statutes and regulations of the State of Nebraska. As conditions and practices change, it is necessary to update these statutes and regulations. An ongoing area of concern in our state concerns the duties and regulation of dental assistants. We have been working for some time on LB542, legislation which would have allowed the board to oversee the dental assisting profession. Unfortunately, for the second year this bill failed to pass. So work will continue on this area in the future.

Another item which needs updating concerns the modes and licensure of sedation, and we are also hoping to introduce legislation in this area.

I would especially like to thank state Senators Campbell, Gay and Gloor who have been tremendously helpful with dental legislation.

On other fronts, the Board is very actively involved with testing, often at a considerable sacrifice of time for our members who serve as examiners. Licensure and discipline are also regular business items, as is the monitoring of CE courses.

Finally, it seems that we are spending more time dealing with alcohol, drug and addiction problems. Members of our profession need to be aware of these issues, and take advantage of treatment resources.

In closing, I would like to thank all of those mentioned above, and the practitioners of our state, who continue to provide an excellent service to the citizens of Nebraska. Dentistry continues to be a challenging and rewarding profession because of the ongoing efforts of all of these parties.

Sincerely,



New Board Member Introductions

Chuck Bauer, D.D.S. is a Hastings native and lifelong Nebraska resident. He graduated from the University of Nebraska College of Dentistry in 1977. He has a passion for delivering dentistry using the latest techniques and equipment. Dr. Bauer is one of a few dentists in Nebraska using oral sedation and non-surgical laser-assisted gum therapy for patients truly afraid of "the dentist". Dr. Bauer is affiliated with the University of NE, College of Dentistry and the Central Community College at Hastings. Students from both colleges do rotations with Dr. Bauer. Dr. Bauer is well versed in practice administration and is very proud of the office facility and staff at Bauer and Howard Dental Care. He has served patients in the Hastings area for over 25 years and opened a satellite office in Doniphan, NE in March of 2005. Dr. Bauer and his wife Jane have two children: Ryan (1982) and Jessica (1985). Dr. Bauer loves a good, well-fought game of racquetball and frequently enjoys swinging a golf club. He plays an active role in his church and the YMCA.

David Blaha, DDS – Dr. Blaha was born in New Mexico and raised in Iowa and Nebraska. He attended Lincoln East High School, UNL, UNMC College of Dentistry and Louisiana State University. Dr. Blaha is Board certified in Oral and Maxillofacial Surgery. He has been in private practice for nearly 26 years and is also a part-time faculty member at UNMC College of Dentistry in Surgical Specialties. Dr. Blaha married his high school sweetheart, Jill, who is an Occupational Therapist at Tabitha. They have three children, all reasonably solid citizens, and three grandchildren, all perfect. Dr. Blaha's non-dental activities include being a private pilot and a guitar player in a local rock band composed of other dentists.

Cynthia Gaskill, RDH – Ms. Gaskill originally from Arapahoe and graduated from Central Community College in 1981. Dentistry has provided a very good career for me. She is so thankful that she listened to my uncle who kept encouraging her to apply to dental hygiene school. Working in private practice in the Aurora, Grand Island, and Central City area was very rewarding for her as was expanding her horizons in Public Health as a Community Dental Health Coordinator for Health and Human Services. Since 1997, she has been teaching in the dental hygiene program at Central Community College. She completed her Master's degree in Education in 2000 from the University of Nebraska. Ms. Gaskill likes working with the dental hygiene students and her favorite classes to teach are Radiology, Ethics, and Clinical Dental Hygiene. Ms. Gaskill has been active in the CCC Dental Hygiene Alumni Association, the Nebraska Dental Hygienists' Association, and the Greater Nebraska Dental Hygienists' Association. She has been very privileged to meet and work with some excellent people along her way. She and her husband Scott are proud parents to Callie age 7 and Brent age 5. Callie is a 1st grader and Brent will be a Kindergartner next year. Besides the kid's activities, they are very active in their church. They live on an acreage near Aurora with a Great Dane, three cats, two fish, and three llamas. She loves to travel and spend time with her family and friends. She enjoyed serving as a deputy dental hygiene examiner for the State of Nebraska for CRDTS. She looks

forward to serving as one of the two dental hygiene members on the Nebraska Board of Dentistry.

Mary Sneckenberg - A native Nebraskan, Mary Sneckenberg was appointed to the Nebraska Board of Dentistry in December 2009. Ms. Sneckenberg is an independent consultant serving customers in technology management services and also serves as a grant proposal reviewer for the US Department of Health & Human Services. Previously, Ms. Sneckenberg spent over eight years working for the Ponca Tribe of Nebraska managing strategic projects in economic development. Positions held were Director of Economic Development, Vice President of the Ponca Economic Development Corporation, Interim Tribal Business Manager (Executive Director), and the President of the Ponca Economic Development Corporation and Ponca House Services, LLC, and a member of board of directors for both corporations. As Vice President of Strategic Planning and Development, Ms. Sneckenberg was a Senior Divisional Officer and member of the Executive Committee for Intelligent Electronics, Inc., a Fortune 325 systems integrator and computer reseller with responsibility for strategic planning and development, mergers & acquisitions, and investor relations, officing in suburban Philadelphia and Denver. Ms. Sneckenberg was Vice President of Professional Sales and Services and a Senior Divisional Officer for Inacom Corp., an Omaha based technology management services company. Prior positions held at Inacom during Ms. Sneckenberg's nine year tenure were: Vice President of Field Sales, Western Regional Manager, Director of Sales, Manager of National Accounts, and Regional Manager. A graduate of Wayne State College with a Bachelor of Arts in Education, Ms. Sneckenberg also held senior sales positions with Honeywell Information Systems, Inc., and the Xerox Corporation in Lincoln, Omaha, and Detroit.

Use of Lasers Endorsed ***(Reprinted from September 2005 Newsletter)***

The Board has issued a recommendation concerning the use of lasers for dental treatment. The Board has endorsed the **Standard Proficiency Certification** (formerly called Category II: Guidelines for Basic Level Education Dental Laser Courses), provided by the Academy of Laser Dentistry. The certification is available from:

The Academy of Laser Dentistry
10435 Vernon Avenue
Huntington Woods MI 48070

www.laserdentistry.org

The Board recommends that practitioners obtain this certification prior to using lasers for dental treatment.

Dental assistants are not authorized to use dental lasers. Dental hygienists are authorized to use lasers pursuant to the appropriate certification and only for those procedures authorized by their scope of practice statutes.

Current Status of 172 NAC 53 Regulations Governing the Performance of Duties by Licensed Dental Hygienists and Other Dental Auxiliaries

By R. Mark Hinrichs, D.D.S.

The process to change or modify the regulations governing dentistry requires several steps.

For the past four plus years the dental board has been working to modify the regulations governing dentistry, specifically for dental assistants. Keeping in mind the primary charge of the board of dentistry is to protect the public, the board set forth updating the regulations.

The history of where we are today is of great value. For close to twenty years the dental board used a list of allowable duties to help dentists better understand which duties were allowed delegation to dental assistants. In the mid 2000's the board had a case that essentially challenged the legality of the list. The challenge to the list included the process by which it had been adopted by the board.

It was determined that the list had to go through a the process to be promulgated as regulations. This would include a public hearing as well as departmental and Attorney General review of the due diligence that the board had conducted. It is mandatory in Nebraska that any regulation change requires a public hearing. Once a hearing occurs, the hearing testimony is reviewed by the board. All concerns are addressed line by line on the hearing transcript. Once a conclusion is made, then the final draft regulations with justification of any changes are sent to the department and then to the Attorney General's office. The regulations must be approved by the Governor and filed by the Secretary of State before becoming effective.

The new "list"/regulations included new duties that the board and more importantly the interested parties thought should be included. Some of the new duties included placing sealants, topical anesthetic, placing retraction cord and bonding orthodontic brackets.

One issue that was apparent during the public hearing was that some of the new duties on the list should have a basic level of education. The added duties were not going to get support from some of the interested parties without formal education. With the help of dental assistant educators and the template used for dental radiology and coronal polishing regulations, the board created an educational component for some of the duties.

The board's authority to create educational requirements was challenged. It was obvious that past precedent was set in 1998 when the board created the coronal polishing regulation. At that time, the Board's authority to set educational requirements was challenged in district court. The department defended the case successfully, and the regulations that required coursework in order for dental assistants to be authorized to perform coronal polishing were adopted. This time the Attorney General's office felt that statutory language was not specific in allowing the Board to create education for dental assistants/auxiliaries.

With this ruling came the recommendation from the Board of Health to legislatively pursue a change in statute that specifically allowed the BOD to create educational requirements for dental assistants. LB 542 was created to address this, with Senator Campbell as the sponsor.

LB 542 was strongly debated by those against the concept for several reasons. Assistants wanted all duties to have the same restrictions as those duties that were going to require education, and the dental hygienists wanted all duties spelled out in the statutes. Neither of these ideas would be supported by the dental association, so here we are.

Currently, one would have to read literally what the statutes and regulations say about prohibited duties to find a useful answer to the question we hear all too often of "what can assistants do"?

Below are web links to the current statute to the current regulations for dental assistants. Please read them as their current content is what the Board is using for guidance.

<http://www.dhhs.ne.gov/crl/statutes/Dentistry.pdf>

http://www.sos.state.ne.us/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-53.pdf

Meeting Highlights From 2009

January 9, 2009 – The Board discussed the update of the 407 Credentialing Review for Dental Assisting. The Board continued working on updating all the dental/dental hygiene regulations.

February 3, 2009 – The Board reviewed proposed language change to LB 542 (Dental Assisting).

April 17, 2009 – The Board reviewed Central Regional Dental Testing Service (CRDTS) decision to no longer administer the ADEX examination.

July 31, 2009 – The Board continued discussing the draft regulations. The Board also discussed the status of LB 542 (Dental Assisting) and there will be continued discussion on LB 542 in the 2010 legislative session. The Board also discussed whether 172 NAC 57 would allow dental hygienists to administer OraVerse (a reversal agent for local anesthesia). The Board also discussed who can apply fluoride varnish and are such procedures eligible for reimbursement. A presentation was given by Oral Health Enrichment on determining continued competency.

September 1, 2009 – The Board established acceptable dental and dental hygiene clinical examinations for 2010.

October 16, 2009 – The Board received a report on the AADE Annual meeting. The Board also answered a practice question on dental prescribing (Diflucan and Phenergan).

Minutes are available on the Department website at:

<http://www.dhhs.ne.gov/crl/brdminutes.htm>

MEETING DATES FOR 2010 ARE:

February 12, 2010
April 16, 2010
July 16, 2010
October 15, 2010

You can find the 2010 meeting dates posted on the Department website at:

<http://www.dhhs.ne.gov/crl/brdmtgs.htm#Dental>

Board of Dentistry Officers Elected for 2010

On February 12, 2010, the Board of Dentistry elected officers.

Terry Wilwerding, DDS -- Chairperson
R. Mark Hinrichs, DDS -- Vice- Chairperson
Cynthia Gaskill, RDH -- Secretary

BOARD COMMITTEE APPOINTMENTS

Anesthesia Committee members are:

John Ahlschwede, DDS; Charles Bauer, DDS; David Blaha, DDS; and Jane Lott, RDH

Nebraska Examination Review Committee members are:

Julie Marshall, DDS; R. Mark Hinrichs, DDS; Terry Wilwerding, DDS; and Jane Lott, RDH

The CE Review Committee members are:

Terry Wilwerding, DDS; Julie Marshall, DDS; David Blaha, DDS; and Cynthia Gaskill, RDH

Judith Kissell, PhD, is the Board of Dentistry representative on the **Workgroup for Dermatologic Procedures and Med Spas.**

Office of Medical & Specialized Health

Becky Wisell
Administrator

Vonda Apking
Health Licensing Coordinator

Nicole Carnes-Woutzke
Health Licensing Specialist

License Statistics

Licenses/Permits/Certifications Totals (as of 3/31/2010)

*This column is based on those licenses/permits/certifications issued since 4/1/2009.

	<u>Total Active</u>	<u>Issued*</u>	<u>Issued by Reciprocity</u>
Dentist Licenses	1480	58	8
Dental Hygienist Licenses	1099	67	9
General Anesthesia Permits	58	11	
Parenteral Sedation Permits	35	4	
Inhalation Analgesia Permits	590	51	
Local Anesthesia Certifications	822	71	
Public Health Authorizations	35	12	
Dental Temporary Licenses	6	3	
Dental Faculty Licenses	7	0	
Locum Tenens	0	5	

Licensure Violations

The following is a list of licensure actions taken between April of 2009 to March of 2010, additional information on any of these violations is available on the Department website at <http://www.nebraska.gov/LISSearch/search.cgi> or by calling 402/471-4923.

Licensee	Action(s)	Violation(s)
Jason L. Rohrs, DDS	30 days Suspension 5 year Probation Civil Penalty - \$5,000	Diagnosis of opioid dependence; violation of the Uniform Controlled Substances Act
Howard C. Kellogg, DDS	Revocation	Disciplinary action in another state; failure to mandatorily report the discipline in another state.
Alan J. Beck, DDS	Censure Civil Penalty - \$10,000	Probation violation – use of alcohol which was prohibited under the terms and conditions of his probation.
Ali I. Tekdogan, DDS	Voluntary Surrender	In lieu of discipline
Mark R. Brouillette, DDS	Voluntary Surrender	Pursuant to disciplinary action; dishonorable conduct evidencing unfitness to practice the profession by having sex with a female patient, prescribing controlled substances for other than legitimate dental purposes to individuals he did not know or had not seen, and providing a patient with controlled substances from his own personal prescription; felony conviction for attempted delivery of a controlled substance; violation of the Uniform Controlled Substances Act for knowingly or intentionally “manufacture, distribute, deliver, dispense, or possess with the intent to manufacture, distribute, deliver, dispense, or possess a controlled substance”; practice of the profession in a pattern of negligent conduct for repeated deficiencies in recordkeeping; unprofessional conduct for failure to maintain adequate records related to prescribing medication; unprofessional conduct for having sexual relations with a patient while providing the patient with free dental care; unprofessional conduct by prescribing, selling, administering, or distributing any drug legally classified as a prescription drug other than for proper dental purposes; failure to conform to the ethics of the dental profession by having sexual relations with his patient; unprofessional conduct for prescribing drugs to an individual that he had never met based solely on answers to questions provided by internet, telephone, or fax; unprofessional conduct for prescribing drugs to an individual without first establishing a proper dentist-patient relationship.
Edie Cordova, DDS	Voluntary Surrender	Pursuant to disciplinary action; misdemeanor convictions for driving under the influence and attempted assault; unprofessional conduct for failure to keep written dental records justifying multiple prescriptions for antibiotics and narcotics; dishonorable conduct for multiple driving under the influence convictions, attempted assault conviction and act of prescribing medications including narcotics to her boyfriend for alleged dental purposes when she was employed as a dentist and after she agreed to a suspension of her dental license.
Sara E. Blome, DDS	Civil Penalty - \$5,000 2 year Probation	Unprofessional conduct; failing to identify substantial amounts of controlled substances ordered using her DEA permit and paid for by her clinic and allowing the office manager to maintain her position and duties without implementing protocol to prevent the office manager from accessing controlled substances.
Stephen R. Bush, DDS	Censure Civil Penalty - \$5,000	Permitting, aiding, or abetting the practice of dentistry by a person not licensed to do so; allowing a dental hygienist to perform enamelplasty.
Mary E. Metschke, DDS	Voluntary Surrender	In lieu of discipline
Michael A. Starkey, DDS	Censure	Probation violation; failure to obey all state and federal laws and rules and regulations regarding the practice of dentistry by administering parenteral sedation during a time his permit was on lapsed status.
Sandra J. Dondlinger, RDH	30 days Suspension Complete and ethics course	Practicing beyond her scope of practice; performing an enamelplasty.

Change of Address?

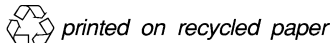
If you have moved or changed your business or mailing address, please remember to contact the Department staff with the new information or you can update your address using the following link (<https://nebraska.mylicense.com/>). The US Postal Service has limitations on forwarding mail to a new address. You are responsible for meeting all renewal dates. If we can't find you, you are still not released from your professional responsibilities to maintain your license.

Any questions? Please contact the staff at:
Department of Health and Human Services
Division of Public Health
Licensure Unit
301 Centennial Mall South
PO Box 94986
Lincoln NE 68509-4986

Phone: 402/471-2118
Fax: 402/471-8614
E-Mail: nicole.carneswoutzke@nebraska.gov



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